



South Dakota Board of Examiners for Counselors &
Marriage and Family Therapists

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South Dakota Board of Examiners for Counselors & Marriage and Family Therapists
Via Videoconference
January 5, 2024

President Butler called the meeting to order at 9:03 am central and determined a quorum.

Board Members Present via Videoconference: Tiffany Butler, Cheryl Hartman, Maureen Gustafson, Jill Janecke, Jay Trenhaile, and Jeff Wangen

Board Members Absent: None.

Others Present via Videoconference: Jennifer Stalley, Executive Secretary; Natalie Young, administrative staff; Court Roper, Board Legal Counsel, Department of Social Services; Erin Handke, Assistant Attorney General; Tracy Mercer, Department of Social Services; Jordan Davis, Jacob Dawson, and Collette Tolley

Motion to approve the proposed agenda with the latitude to move items to accommodate the hearing by Wangen. Seconded by Trenhaile. **Motion carried.**

Butler asked for comments from the public. There were no comments offered.

Motion to approve the meeting minutes of September 22, 2023 by Janecke. Seconded by Trenhaile. **Motion carried.**

Motion to accept the financial report as of November 30, 2023 by Hartman. Seconded by Trenhaile. **Motion carried.**

Stalley provided updates on the Counseling Compact under consideration by the legislature.

Motion to approve the 2024 Board meeting dates as February 16, 2024; May 17, 2024; August 23, 2024; and November 15, 2024 by Hartman. Seconded by Wangen. **Motion carried.**

Butler noted the time and place for the Hearing in the Matter of Complaint 2023-15 and Complaint 2023-16. The party was present and represented by legal counsel.

Motion to go into executive session for consideration of contested cases at 11:00 am by Trenhaile. Seconded by Janecke. **Motion carried.**

Butler declared the Board out of executive session at 12:30 pm.

Motion to require the licensee in Complaint 2023-15 and 2023-16 to enroll, participate in and complete all recommendations of the Health Professionals Assistance Program until such time HPAP

deems participation completed; licensee be supervised by a supervisor approved by the Board for a period of at least one year, to be reviewed annually. Supervision under this provision may be used to complete the requirements for an LPC-MH license, if licensee chooses to pursue an LPC-MH; licensee must refrain from any in person counseling of clients until such time HPAP recommends licensee can see clients in person. Licensee may practice by telehealth until HPAP recommends licensee can see clients in person; licensee must share a copy of his current prevention plan and safety plan with the physical location of any counseling services when in person counseling resumes; and licensee must participate in personal counseling with a board approved counselor until either the HPAP program or the board approved counselor indicates to the Board that counseling is no longer necessary; or the license(s) of the licensees will be automatically suspended from practice by Butler. Seconded by Wangen. **Motion carried.** Janecke was recused.

Motion to dismiss Complaint 2023-17 by Hartman. Seconded by Wangen. **Motion carried.**

Motion to dismiss Complaint 2023-21 by Janecke. Seconded by Trenhaile. **Motion carried.**

Motion to dismiss Complaint 2023-22 by Wangen. Seconded by Hartman. **Motion carried.**

Motion to authorize legal counsel to offer a stipulated agreement and enter an order of dismissal upon completion of the terms of the agreement for Complaint 2023-23 by Hartman. Seconded by Trenhaile. **Motion carried.**

Motion to dismiss Complaint 2023-24 by Butler. Seconded by Hartman. **Motion carried.**

Motion to dismiss Complaint 2023-25 by Wangen. Seconded by Trenhaile. **Motion carried.**

Motion to dismiss Complaint 2023-27 by Hartman. Seconded by Janecke. **Motion carried.**

Motion to issue an RFP for executive services for the Board for 2024 by Trenhaile. Seconded by Hartman. **Motion carried.**

Stalley provided an office update. The office is prepping for the 2024 renewal cycle and any changes that may be necessary if the counseling compact legislation is approved.

Mercer provided the Board with a Department update. The Department continues to work to have vacant board appointments filled.

The Board's next meeting is scheduled for February 16, 2024 at 9:00am (central) via Zoom.

Motion to adjourn at 12:39 pm by Trenhaile. Seconded by Hartman. **Motion carried.**

Respectfully Submitted,



Jennifer Stalley, Executive Secretary